

# OXFORD MERCURY,

## AND CITIZEN OF GRANVILLE.

C. H. WILEY, Editor.

"Sum cuique tribuito."

R. J. MITCHELL, Proprietor.

VOL. I.

OXFORD, N. C., THURSDAY, DECEMBER 16, 1841.

NO. XXII.

**THE OXFORD MERCURY**  
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ADVERTISEMENTS.—One dollar for every 16  
lines, first insertion, and 25 cents for each suc-  
ceeding insertion.  
Court orders and Judicial advertisements will  
be charged 25 per cent higher; but a deduction  
of 33 per cent. will be made from the regular  
prices, for advertisers by the year.  
All letters to the Proprietor or Editor, must be  
Post-Paid.

TO PLANTERS & DEALERS IN PRODUCE.  
**PANNILL & LEA,**  
COMMISSION MERCHANTS,  
PETERSBURG, VA.

Will give particular attention to the sale  
of Tobacco, Wheat, Flour, Cotton, or  
any other produce consigned to them, they deal  
in neither article on their own account. Liberal  
advances will be made on consignments when  
required, and every exertion made to promote  
the interest of their friends.  
Dec. 1841. 20

### OUR MILL

Is in good order for grinding Corn or Wheat,  
with two Bolting Cloths, one of which is  
common, and the other superior. Our miller  
is well skilled in the management of the whole  
machinery, which together with our personal  
attention, we expect to give entire satisfaction to  
all who may favor us with their custom.

We wish to buy five hundred bushels of good  
WHEAT, and two hundred barrels of CORN  
to be delivered at our mill.  
SAML. DUTY & CO.  
Oxford, Dec 2 20

10 BBLs. Tanners Oil,  
60 " Stone Lime,  
120 Kegs White Lead,  
6 bbls. Mountain Linsed Oil,  
Just received and will be sold low for cash, or  
produce.  
On consignment, 4,000 lbs. of good BACON  
and 1,300 lbs. very superior LARD.  
JAMES WYCHE.  
Henderson, Dec. 2. 20 64

### NOTICE.

**TRUST SALE.**  
BY virtue of a Deed of Trust, executed by  
Samuel F. Sneed to William M. Sneed,  
Trustee, and for the purposes in said trust  
named, there will be sold to the highest bidder  
for CASH, at the Court House door in Oxford,  
on Saturday the 1st day of January next, a  
Tract of Land lying in the County of Granville,  
on the waters of Island Creek and adjoining the  
Town of Williamsboro'. Said Tract containing  
Nine Hundred Acres, and is the same de-  
vised to Samuel F. Sneed by the will of Stephen  
Sneed, dec'd. This Land is valuable and  
well worth the attention of farmers, or any one  
desirous of a residence in the vicinity of Wil-  
liamsboro'.  
The right conveyed by Samuel F. Sneed, to  
William M. Sneed, Trustee, will be conveyed  
to the purchaser by  
THOS. H. WILLIE, Atty. for  
WM. M. SNEED, Trustee.  
Dec. 2nd, 1841. 20 5t

### Imported Flatterer.



THIS beautiful and high bred fashionable  
Horse will make his next season at Wilton  
and Oxford, as may suit those who may wish  
to encourage him. The purity of his breeding is  
such as will justify all who have good mares to  
breed from him, he being half brother to Levia-  
than by Muley, out of Clare by Marmion, Grand-  
dam; Harplace by Gohannah, &c. &c. He is  
five feet five inches high, of a deep mahogany  
color. His pedigree will be exhibited in full, as  
may be seen by handbills, which will be shortly  
published.  
EDWARD H. CARTER.  
Dec. 2nd, 1841. 20 1t

### Seven more Piano Fortes

JUST RECEIVED BY E. P. NASH.

By the schooner Juliet, I have received seven  
more Piano Fortes, which, added to the  
twelve lately unpacked, make my stock very  
large and complete. I have a beautiful variety  
of patterns, varying in price from two hundred  
and seventy-five to six hundred dollars, all of  
which will be sold subject to be returned if not  
really good, and with no uncommonly large a  
stock (upwards of thirty instruments) I cannot  
fail to please those who may be in want of the  
article. No one steps in the dark, or runs any  
risk in purchasing a Piano Forte from the sub-  
scriber, as he is willing that purchasers should  
withhold payment until they are fully tried.  
E. P. NASH, Petersburg.  
Oct 21 14

### NOTICE.

THE subscriber being desirous of closing his  
business at Henderson, N. C., now offers  
for sale his HOUSES and LOT, one of which  
is an elegantly finished Dry Goods Store, with  
six rooms, several of which are well suited for  
the accommodation of a family, the other an  
excellent Store, attached to which, is an office  
and excellent Kitchen and other outbuildings.  
Terms accommodating, call and examine.  
P. O. E. A. JONES.  
Henderson, Sept. 2.

### MESSAGE.

To the Senate and House of Repre-  
sentatives of the United States.

In coming together, fellow-citizens,  
to enter again upon the discharge of  
the duties with which the People  
have charged us, severally, we find  
great occasion to rejoice in the general  
prosperity of the country. We are  
in the enjoyment of all the blessings  
of civil and religious liberty, with  
unexampled means of education—  
knowledge and improvement. Thro'  
the year which is now drawing to a  
close, peace has been in our borders,  
and plenty in our habitations; and  
although disease has visited some few  
portions of the land with distress and  
mortality, yet in general the health  
of the People has been preserved,  
and we are all called upon, by the  
highest obligations of duty, to renew  
our thanks and our devotion to our  
Heavenly Parent, who has continued  
to vouchsafe to us the eminent bless-  
ings which surround us, and who  
has so signally crowned the year with  
his goodness. If we find ourselves  
increasing, beyond example, in num-  
bers, in strength, in wealth, in knowl-  
edge, in every thing which promotes  
human and social happiness, let us  
ever remember our dependence, for  
all these, on the protection and mer-  
ciful dispensations of Divine Providence.

Since your last adjournment, Alex-  
ander McLeod, a British subject, who  
was indicted for the murder of an A-  
merican citizen, and whose case has  
been the subject of a correspondence  
heretofore communicated to you, has  
been acquitted by the verdict of an  
impartial and intelligent jury, and  
has, under the judgment of the Court,  
been regularly discharged.

Great Britain having made known  
to this Government that the expedi-  
tion which was fitted out from Canada  
for the destruction of the steamboat  
Caroline, in the winter of 1837, and  
which resulted in the destruction of  
said boat, and in the death of an A-  
merican citizen, was undertaken by  
orders emanating from the authorities  
of the British Government, in Can-  
ada, and demanding the discharge of  
McLeod upon the ground that, if en-  
gaged in that expedition, he did but  
fulfil the orders of his Government,  
has thus been answered in the only  
way in which she could be answered  
by a Government, the powers of  
which are distributed among its sev-  
eral departments by the fundamental  
law. Happily for the people of Great  
Britain, as well as those of the United  
States, the only mode by which an  
individual, arraigned for a criminal  
offence, before the Courts of either,  
can obtain his discharge is by the in-  
dependent action of the judiciary, and  
by proceedings equally familiar to the  
Courts of both countries.

If in Great Britain a power exists  
in the Crown to cause to be entered a  
*nolle prosequi*, which is not the case  
with the Executive power of the Uni-  
ted States upon a prosecution pending  
in a State Court; yet there, no more  
than here, can the chief Executive  
power rescue a prisoner from custody  
without an order of the proper tribunal  
directing his discharge. The precise  
stage of the proceedings at which such  
order may be made, is a matter of mu-  
nicipal regulation exclusively, and  
not to be complained of by any other  
Government. In cases of this kind,  
a Government becomes politically res-  
ponsible only, when its tribunals of  
last resort are shown to have render-  
ed unjust and injurious judgments in  
matters not doubtful. To the estab-  
lishment and elucidation of this prin-  
ciple, no nation, as lent its authority  
more efficiently than Great Britain.  
Alexander McLeod having his option  
either to prosecute a writ of error  
from the decision of the Supreme

Court of New York, which had been  
rendered upon his application for a  
discharge, to the Supreme Court of the  
United States, or to submit his case  
to the decision of a jury, preferred the  
latter, deeming it the readiest mode  
of obtaining his liberation, and the re-  
sult has fully sustained the wisdom of  
his choice. The manner in which the  
issue submitted was tried, will satisfy  
the English Government that the  
principles of justice will never fail  
to govern the enlightened decision  
of an American tribunal. I cannot  
fail, however, to suggest to Congress  
the propriety, and, in some degree,  
the necessity, of making such provi-  
sions by law, so far as they may con-  
stitutionally do so, for the removal  
of their commencement, and at the option  
of the party, of all such cases as may  
hereafter arise, and which may in-  
volve the faithful observance and exe-  
cution of our international obligations,  
from the State to the Federal Judici-  
ary. This Government, by our insti-  
tutions, is charged with the mainte-  
nance of peace and the preservation of  
amicable relations with the nations of  
the earth, and ought to possess, with-  
out question, all the reasonable and  
proper means of maintaining the one  
and preserving the other. Whilst  
just confidence is felt in the Judiciary  
of the States, yet this Government  
ought to be competent in itself for  
the fulfilment of the high duties which  
have been devolved upon it under  
the organic law, by the States them-  
selves.

In the month of September, a party  
of armed men from Upper Canada in-  
vaded the territory of the U. States,  
of one of the most important circum-  
stances of great happiness, hurriedly  
carried him beyond the limits of the  
United States, and delivered him up  
to the authorities of Upper Canada.—  
His immediate discharge was ordered  
by those authorities, upon the facts  
of the case being brought to the knowl-  
edge—a course of procedure which  
was to have been expected from a  
nation with whom we are at peace, and  
which was not more due to the rights  
of the United States, than to its own  
regard for justice. The correspon-  
dence which passed between the De-  
partment of State, and the British  
Envoy, Mr. Fox, and with the Gov-  
ernment of Vermont, as soon as the  
facts had been made known to this  
Department, are herewith communi-  
cated.

I regret that it is not in my power  
to make known to you an equally sat-  
isfactory conclusion in the case of the  
Caroline steamer, with the circum-  
stances connected with the destruction  
of which, in December, 1837, by an  
armed force fitted out in the Province  
of Upper Canada, you are already  
made acquainted. No such atonement  
as was due for the public wrong done  
to the United States, by this invasion  
of her territory, so wholly irreconcil-  
able with her rights as an independent  
power, has yet been made. In the view  
taken by this Government, the enquiry  
whether the vessel was in the em-  
ployment of those who were prosecut-  
ing an unauthorized war against that  
Province, or was engaged by the owner  
in the business of transporting  
passengers to and fro from Navy Is-  
land in hopes of private gain, which  
was most probably the case, in no  
degree alters the real question at issue  
between the two Governments. This  
Government can never concede to any  
foreign Government the power, ex-  
cept in a case of the most urgent and  
extreme necessity, of invading its  
territory, either to arrest the persons  
or destroy the property of those who  
may have violated the municipal laws  
of such foreign Government, or have  
disregarded their obligations arising  
under the law of nations. The Ter-  
ritory of the United States must be re-  
garded as sacredly secure against all

such invasions, until they shall volun-  
tarily acknowledge their inability to  
acquit themselves of their duties to  
others. And in announcing this senti-  
ment, I do but affirm a principle  
which no nation on earth would be  
more ready to vindicate, at all hazards,  
than the people and Government of  
Great Britain.

If, upon a full investigation of all  
the facts, it shall appear that the owner  
of the Caroline was governed by a  
hostile intent, or had made common  
cause with those who were in the  
occupancy of Navy Island, then, so  
far as he is concerned, there can be no  
claim to indemnify for the destruction  
of his boat, which this Government  
would feel itself bound to prosecute—  
since he would have acted not only  
in derogation of the rights of Great  
Britain, but in clear violation of the  
laws of the United States; but that is  
a question which, however settled, in  
no manner involves the higher con-  
sideration of the violation of territo-  
rial sovereignty and jurisdiction. To  
recognize it as an admissible practice  
that each government, in its turn, up-  
on any sudden and unauthorized out-  
break, which, on a frontier, the extent  
of which renders it impossible  
for either to have an efficient force on  
every mile of it, and which out-break,  
therefore, neither may be able to sup-  
press in a day, may take vengeance  
into its own hands, and without even  
a remonstrance, and in the absence of  
any pressing or overruling necessity,  
may invade the territory of the other;  
would inevitably lead to results equal-  
ly to be deplored by both. When  
border collisions come to receive the

authority of either Government, general  
war must be the inevitable result.  
While it is the ardent desire of the  
United States to cultivate the relations  
of peace with all nations, and to fulfil  
all the duties of good neighborhood  
towards those who possess territories  
adjoining their own, that very desire  
would lead them to deny the right of  
any foreign power to invade their  
boundary with an armed force. The  
correspondence between the two Gov-  
ernments on this subject, will, at a  
future day of your session, be sub-  
mitted to your consideration; and in  
the mean time, I cannot but indulge  
the hope that the British Government  
will see the propriety of renouncing,  
as a rule of future action, the preced-  
ent which has been set in the affair  
at Schlosser.

I herewith submit the correspon-  
dence which has recently taken place  
between the American Minister at the  
Court of St. James, Mr. Stevenson,  
and the Minister of Foreign Affairs  
of that Government, on the right  
claimed by that Government to visit  
and detain vessels sailing under the  
American flag and engaged in prose-  
cuting lawful commerce in the Afri-  
can seas. Our commercial interests  
in that region have experienced con-  
siderable increase, and have become  
an object of much importance, and it  
is the duty of this Government to  
protect them against all improper and  
vexatious interruption. However de-  
sirable the United States may be for  
the suppression of the slave trade,  
they cannot consent to interpolations  
into the maritime code, at the mere  
will and pleasure of other govern-  
ments. We deny the right of any  
such interpolation to any one, or all  
the nations of the Earth, without our  
consent. We claim to have a voice  
in all amendments or alterations of  
that code—and when we are given to  
understand, as in this instance, by a  
foreign Government, that its treaties  
with other nations cannot be executed  
with the establishment and enforce-  
ment of new principles of maritime  
police, to be applied without our con-  
sent, we must employ a language nei-  
ther of equivocal import, or suscepti-  
ble of misconstruction. American

citizens prosecuting a lawful com-  
merce in the African seas, under the  
flag of their country, are not respon-  
sible for the abuse or unlawful use of  
that flag by others; nor can they  
rightfully on account of any such  
alleged abuses, be interrupted, mole-  
sted or detained while on the ocean;  
and if thus molested and detained,  
while pursuing honest voyages, in the  
usual way, and violating no law them-  
selves, they are unquestionably enti-  
tled to indemnity. This Government  
has manifested its repugnance to the  
slave trade, in a manner which cannot  
be misunderstood. By its fundamen-  
tal law, it prescribed limits in point  
of time to its continuance; and against  
its own citizens, who might so far  
forget the rights of humanity as to  
engage in that wicked traffic, it has  
long since, by its municipal laws, de-  
nounced the most condign punish-  
ment. Many of the States compos-  
ing this Union, have made appeals to  
the civilized world for its suppression  
long before the moral sense of other  
nations had become shocked by the  
iniquities of the traffic. Whether  
this Government should now enter  
into treaties containing mutual stipu-  
lations upon this subject, is a question  
for its mature deliberation. Certain  
it is, that if the right to detain Ameri-  
can ships on the high seas can be jus-  
tified on the plea of a necessity for  
such detention, arising out of the ex-  
istence of treaties between other na-  
tions, the same plea may be extended  
and enlarged by the new stipulations  
of new treaties, to which the United  
States may not be a party. This  
Government will not, and cannot, give  
ample remuneration for all losses,  
whether arising from detention or  
otherwise, to which American citizens  
have heretofore been, or may hereafter  
be subjected, by the exercise of rights  
which this Government cannot recog-  
nize as legitimate and proper. Nor  
will I indulge a doubt but that the  
sense of justice of Great Britain, will  
constrain her to make retribution for  
any wrong, or loss, which any A-  
merican citizen, engaged in the prosecu-  
tion of lawful commerce, may have  
experienced at the hand of her crui-  
sers, or other public authorities. This  
government, at the same time, will  
relax no effort to prevent its citizens,  
if there be any so disposed, from  
prosecuting a traffic so revolting to  
the feelings of humanity. It seeks  
to do no more than to protect the fair  
and honest trader, from molestation  
and injury; but while the enterpris-  
ing mariner, engaged in the pursuit  
of an honorable trade, is entitled to its  
protection, it will visit with condign  
punishment, others of an opposite  
character.

I invite your attention to existing  
laws for the suppression of the Afri-  
can slave-trade, and recommend all  
such alterations, as may give to them  
greater force and efficacy. That the  
American flag is grossly abused by  
the abandoned and profligate nations,  
is but too probable. Congress has,  
not long since, had this subject under  
its consideration, and its importance  
well justifies renewed and anxious  
attention.

I also communicate herewith the  
copy of a correspondence between  
Mr. Stevenson and Lord Palmerston,  
upon the subject so interesting to  
several of the Southern States, of the  
rice duties, which resulted honorably  
to the United States.

At the opening of the last annual  
session, the President informed Con-  
gress of the progress which had then  
been made in negotiating a convention  
between this Government and that of  
England, with a view to the final  
settlement of the question of the  
boundary between the territorial limits  
of the two countries. I regret to say  
that little further advancement of the  
object has been accomplished since